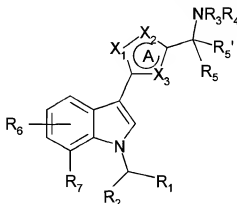


Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

1. (Previously Presented) An (indol-3-yl)-heterocycle having the general Formula I



Formula I

wherein

A represents a 5-membered aromatic heterocyclic ring, wherein X₁, X₂ and X₃ are independently selected from N, O, S and CR;

R is H or (C₁₋₄)alkyl;

R₁ is cyclohexyl or tetrahydropyranyl;

R₂ is H, CH₃ or CH₂-CH₃;

R₃ and R₄ are independently H or (C₁₋₆)alkyl the alkyl groups being optionally substituted with OH, (C₁₋₄)alkyloxy, (C₁₋₄)alkylthio, (C₁₋₄)alkylsulfonyl, CN or halogen; or

R₃ together with R₄ and the N to which they are bonded form piperidine, pyrrolidine, morpholine or thiomorpholine, optionally substituted with OH, (C₁₋₄)alkyl, (C₁₋₄)alkyloxy, (C₁₋₄)alkyloxy-(C₁₋₄)alkyl, or halogen; or

R₃ together with R₅ forms a 4-8 membered ring optionally containing a further heteroatom selected from O and S, and which is optionally substituted with OH, (C₁₋₄)alkyl, (C₁₋₄)alkyloxy, (C₁₋₄)alkyloxy-(C₁₋₄)alkyl, or halogen; or

R₅ is H or (C₁₋₄)alkyl; or

R₅ together with R₃ forms a 4-8 membered ring optionally containing a further heteroatom selected from O and S, and which is optionally substituted with OH, (C₁₋₄)alkyl, (C₁₋₄)alkyloxy, (C₁₋₄)alkyloxy-(C₁₋₄)alkyl, or halogen;

R₅' is H or (C₁₋₄)alkyl;

R₆ represents 1-3 substituents independently selected from H, (C₁₋₄)alkyl, (C₁₋₄)alkyloxy, CN and halogen;

R₇ is H, (C₁₋₄)alkyl, (C₁₋₄)alkyloxy, CN or halogen; or
or a pharmaceutically acceptable salt thereof.

2. (Previously Presented) The (indol-3-yl)-heterocycle of claim 1, wherein R₂ is H.
3. (Previously Presented) The (indol-3-yl)-heterocycle of claim 1, wherein R, R₅, R₅' and R₆ are H.
4. (Cancelled)
5. (Previously Presented) The (indol-3-yl)-heterocycle of claim 1 where the heterocycle A is 1,2,4-oxadiazole (X₁ is N, X₂ is O, X₃ is N), 1,2,4-thiadiazole (X₁ is N, X₂ is S, X₃ is N) or thiazole (X₁ is S, X₂ is CR, X₃ is N).
6. (Previously Presented) The (indol-3-yl)-heterocycle of claim 1 which is selected from:
 - 7-Chloro-3-(5-{[N-ethyl-N-(2-methoxyethyl)amino]methyl}-[1,2,4]-thiadiazol-3-yl)-1-(tetrahydropyran-4-yl)methyl-1H-indole;
 - 7-Chloro-3-{5-[(pyrrolidin-1-yl)methyl]-[1,2,4]-thiadiazol-3-yl}-1-(tetrahydropyran-4-yl)methyl-1H-indole;
 - 7-Chloro-3-(5-{[N-ethyl-N-(2-hydroxyethyl)amino]methyl}-[1,2,4]-thiadiazol-3-yl)-1-(tetrahydropyran-4-yl)methyl-1H-indole;
 - 7-Chloro-3-(4-{[N-(2-hydroxyethyl)-N-isopropylamino]methyl}-[1,3]-thiazol-2-yl)-1-(tetrahydropyran-4-yl)methyl-1H-indole;

- 7-Chloro-3-(4-{[N-ethyl-N-(2-hydroxyethyl)amino]methyl}-[1,3]-thiazol-2-yl)-1-(tetrahydropyran-4-yl)methyl-1H-indole;
 - 7-Chloro-3-(4-{[N-(2-methoxyethyl)-N-methylamino]methyl}-[1,3]-thiazol-2-yl)-1-(tetrahydropyran-4-yl)methyl-1H-indole; and
 - 7-Chloro-3-{5-[(2,2-dimethyl-pyrrolidin-1-yl)methyl]-[1,2,4]oxadiazol-3-yl}-1-(tetrahydropyran-4-yl)methyl-1H-indole;
- or a pharmaceutically acceptable salt thereof.

7. (Cancelled)

8. (Previously Presented) A pharmaceutical composition comprising an (indol-3-yl)-heterocycle of claim 1 or a pharmaceutically acceptable salt thereof in admixture with pharmaceutically acceptable auxiliaries.

9. (Cancelled)

10. (Currently Amended) A method of treatment of pain selected from the group consisting of peri-operative pain, chronic pain, neuropathic pain, cancer pain and pain and spasticity associated with multiple sclerosis, the method comprising: administering to a patient in need thereof a therapeutically effective amount of an (indol-3-yl)-heterocycle derivative of claim 1.

11. (Cancelled)

12. (Previously Presented) A pharmaceutical composition comprising an (indol-3-yl)-heterocycle of claim 5 or a pharmaceutically acceptable salt thereof in admixture with pharmaceutically acceptable auxiliaries.

13. (Previously Presented) A pharmaceutical composition comprising an (indol-3-yl)-heterocycle of claim 6 or a pharmaceutically acceptable salt thereof in admixture with pharmaceutically acceptable auxiliaries.
14. (Currently Amended) A method of treatment of pain selected from the group consisting of peri-operative pain, chronic pain, neuropathic pain, cancer pain and pain and spasticity associated with multiple sclerosis, the method comprising: administering to a patient in need thereof a therapeutically effective amount of an (indol-3-yl)-heterocycle derivative of claim 5.
15. (Currently Amended) A method of treatment of pain selected from the group consisting of peri-operative pain, chronic pain, neuropathic pain, cancer pain and pain and spasticity associated with multiple sclerosis, the method comprising: administering to a patient in need thereof a therapeutically effective amount of an (indol-3-yl)-heterocycle derivative of claim 6.
16. (Previously Presented) The compound of claim 6, wherein the compound is
- 7-Chloro-3-(4-{[N-(2-hydroxyethyl)-N-isopropylamino]methyl}-[1,3]-thiazol-2-yl)-1-(tetrahydropyran-4-yl)methyl-1H-indole or a pharmaceutically acceptable salt thereof.
17. (Previously Presented) A pharmaceutical composition comprising the compound or a pharmaceutically acceptable salt thereof of claim 16 in admixture with pharmaceutically acceptable auxiliaries.
18. (New) A method of treatment of pain selected from the group consisting of peri-operative pain, chronic pain, neuropathic pain, cancer pain and pain and spasticity associated with multiple sclerosis, the method comprising: administering to a patient in need thereof a therapeutically effective amount of an (indol-3-yl)-heterocycle derivative of claim 16.